

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 1st day of July, two thousand nineteen.

Present:

Pierre N. Leval,
Rosemary S. Pooler,
Denny Chin,
Circuit Judges.

Jesus Berrios, as legal guardian of Vanessa Rivera,

Plaintiff-Appellant,

v.

19-129

State of New York, et al.,

Defendants-Appellees,

Bayley Seton Hospital, et al.,

Defendants.

Appellant, pro se, moves for leave to proceed in forma pauperis, appointment of counsel, and to appeal on the original record. We grant Appellant's motion for leave to proceed in forma pauperis for the limited purpose of vacating the judgment of the district court, and "remand for further proceedings that conform to the bar against non-attorneys' representation of other" persons in federal court proceedings. *Berrios v. N.Y.C. Hous. Auth.*, 564 F.3d 130, 135 (2d Cir. 2009). On remand, the district court shall appoint Appellant an attorney and allow the attorney the opportunity to present the case.

Upon due consideration, it is hereby ORDERED that the motion for leave to proceed in forma pauperis is GRANTED IN PART, the judgment of the district court is VACATED, and the case is REMANDED for further proceedings consistent with this order and our opinion in *Berrios v.*

New York City Housing Authority, 564 F.3d 130 (2d Cir. 2009). Appellant's remaining motions are DENIED as moot.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

The image shows a handwritten signature in black ink that reads "Catherine O'Hagan Wolfe". Overlaid on the signature is a circular official seal of the United States Court of Appeals, Second Circuit. The seal is blue and red, with the words "UNITED STATES" at the top, "SECOND CIRCUIT" in the center, and "COURT OF APPEALS" at the bottom, flanked by two stars.

A True Copy

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Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

This block contains a second instance of the handwritten signature "Catherine O'Hagan Wolfe" and the official seal of the United States Court of Appeals, Second Circuit, identical to the one in the first block.